IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 3742 of 1998

Between:

1 K.Pattabhirami Reddy S/o K.Ramachandra Reddy
R/o A.K Nagar , Nellore.
2 K.Vijaykumar Reddy S/o Pattabhirami Reddy
R/o A.K Nagar , Nellore.
3 N.Sudhakar Reddy S/o Sunder Rami Reddy
R/o Nellore.

..... PETITIONER(S)

AND

1 Superintending Engineer TGP Circle
Srikalahasthi , Chittoor District.
2 Superintending Engineer TGP Circle
Nellore .
3 Superintending Engineer TGP Circle
Nandyal , Kurnool District.
4 Superintending Engineer SRPC Circle
Nandyal, Kurnool District.
5 Superintending Engineer TGP Circle
Cuddapah Cuddapah District.
6 Superintending Engineer Somasila Project Circle
Nellore, Nellore District.
7 Superintending Engineer Irrigation Circle
Cuddapah Cuddapah District.
8 Superintending Engineer Panchayat Raj Circle
Nellore Nellore District.
9 Superintending Engineer Panchayat Raj Circle
Guntur, Guntur District.
10 Superintending Engineer, Roads & Buildings
Nellore, Nellore District.
11 Superintending Engineer K.C. Canal Circle

Kurnool, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction in the nature of Mandamus declaring the action of the respondents in insisting for depositing the Earnest Money Deposit in the shape of National Savings Certificate and also for production of financial turnover certificate or experience certificate or physical turnover certificate and Sales Tax Clerance Certificate from the concerned Commercial Tax Officer under the APGST Act, as illegal, arbitrary and violative of Articles 14 and 19 (1) (g) of the Constitution of India and consequently direct the respondents not to insist for depositing the EMD at the time of sale or submitting tender chedules to the petitioners by giving the monetary limits and concessions as per G.O .Ms. 178, Irrigation and CAD(PWD) Department , dt 27-9-97.

Counsel for the Petitioners:MR.D.SETHURAMI REDDY (NOT PRESENT)

Counsel for the Respondents: GP FOR IRRIGATION & COMM AREA DEV.

The Court made the following :

ORDER:

The present writ petition is filed questioning the action of the respondents in insisting for depositing the Earnest Money Deposit in the shape of National Savings Certificate and also for production of financial turnover certificate or experience certificate or physical turnover certificate and Sales Tax Clerance Certificate from the concerned Commercial Tax Officer under the APGST Act.

This Court while admitting the writ petition by order dated 2-3-1998 in W.P.M.P.No. 4457 of 1998 granted interim direction to issue tender schedules without insisting on commercial tax clearence certificate, Earnest Money Deposit and experience certificate.

None appeared for petitioner. Learned Government Pleader for Irrigation submitted that the cause in the writ petition does not survive and it has become infructuous.

Accordingly, the writ petition is dismissed as infructuous. No costs.

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N.V.RAMANA,J

20-4-2005

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 Superintending Engineer TGP Circle
Srikalahasthi , Chittoor District.
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12) 2 CD copies

13) 2 CCs Government Pleader for Revenue, High Court of A.P. Buildings, Hyderabad (OUT)

*Form-NIC-OGS/WP{**ESWAR**}*